

# DECLARATION, POWER OF ATTORNEY AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled: **D tention of preharvest sprouting in cereal grains**

the specification of which

☐ is attached hereto ☒ was filed on **11 November 1999** as Application Serial No. **09/830876** and was amended on **5-2&23-01**(if applicable).

I hereby state that I have reviewed and understand the consents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a)

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
PP 7058	Australia	11 November 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
[Number]	[Country]	[Day/Month/Year Filed]	Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

[Application Serial no]	[Filing Date]	[Status: patented, pending, abandoned]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

**SUGHRUE MION ZINN MacPEAK & SEAS PLLC**  
**2100 Pennsylvania Avenue NW**  
**Washington DC 20037-3202**  
**United States Of America**

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

Full name of sole or first inventor **John Howard SKERRITT**

Inventor's Signature

Date:

Residence **38 Booth Crescent, Cook, ACT, 2614, Australia**

Citizenship **Australian**

Post Office Address **38 Booth Cr scent, Cook, ACT, 2614, Australia**

Applicant or Patentee:

John H. SKERRITT

Attorney's Docket

Application No.

09/830876

No.: Q-64066

Filed or Issued:

May 2, 2001

For:

DETECTION OF PREHARVEST SPROUTING  
IN CEREAL GRAINS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f)  
and 1.27 (c)) -- SMALL BUSINESS CONCERN**

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern  
identified below:

NAME OF CONCERN

QUALITY WHEAT CRC LIMITED

Riverside Corporation Park

ADDRESS OF CONCERN

North Ryde, NSW 2113, AUSTRALIA

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: **DETECTION OF PREHARVEST SPROUTING IN CEREAL GRAIN** by inventor John H. SKERRITT

Described in ☐ the specification filed herewith

☒ application no. 09/830876

filed May 2, 2001

☐ patent no. \_\_\_\_\_

issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statement are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME

ALAN LESLIE JOHN ELIJAH

ADDRESS

LOCKER BAG 1345, NORTH RYDE NSW, 1670, AUSTRALIA

☐ INDIVIDUAL

☐ SMALL BUSINESS  
CONCERN

☒ NONPROFIT  
ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON

SIGNING

TITLE IN ORGANIZATION

ADDRESS OF PERSON

SIGNING

Signature

ALAN ELLIS  
COMPANY SECRETARY  
LOCKED BAG 1345, NORTH RYDE, NSW 1670, AUSTRALIA

Date

11/5/01

Alan Ellis

09830875.072001